

IAP7 Rec'd PCT/PTO 01 SEP 2006

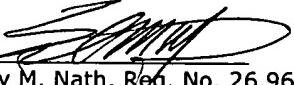
Transmittal Letter To The United States Designated/Elected Office (DO/EO/US) Concerning A Filing Under 35 U.S.C. 371		Attorney Docket No.: 27614U U.S. Application No.: Not Yet Assigned
International Application No.: PCT/EP2005/051054	International Filing Date: MARCH 9, 2005	Priority Date Claimed: MARCH 10, 2004 DECEMBER 17, 2004 10/591480
Title of Invention: NOVEL AMIDO-SUBSTITUTED HYDROXY-6-PHENYLPHENANTHRIDINES AND THEIR USE AS PDE4 INHIBITORS		
Applicants for DO/EO/US: KAUTZ, Ulrich		
Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none">1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.4. <input checked="" type="checkbox"/> The US has been elected (Article 31).5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)):<ol style="list-style-type: none">a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).b. <input type="checkbox"/> has been communicated by the International Bureau.c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)6. <input type="checkbox"/> An English translation of the International Application as filed (35 U.S.C. 371(c)(2)).7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))<ol style="list-style-type: none">a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).b. <input type="checkbox"/> have been communicated by the International Bureau.c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.d. <input checked="" type="checkbox"/> have not been made and will not be made.8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
ITEMS 11 to 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:		
<ol style="list-style-type: none">11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.13. <input checked="" type="checkbox"/> A FIRST preliminary amendment.14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment15. <input type="checkbox"/> A substitute specification.16. <input type="checkbox"/> A change of power of attorney and/or address letter.17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 182518. <input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4)19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4)20. <input checked="" type="checkbox"/> Other items or information: TRANSMITTAL LETTER; APPLICATION DATA SHEET; INTERNATIONAL PUBLICATION NUMBER: WO 2005/087745 A1, WITH THE PCT/ISA/210 (INTERNATIONAL SEARCH REPORT); INTERNATIONAL PUBLICATION DATE: SEPTEMBER 22, 2005, WHICH CONSISTS OF 102 PAGES: 1 PAGE FOR THE COVER SHEET, WITH ABSTRACT, 83 PAGES OF TEXTUAL SPECIFICATION, 18 PAGES OF 18 CLAIMS, AND 0 SHEETS OF DRAWINGS; PRELIMINARY AMENDMENT WITH APPENDICES A, B, AND C, TO BE EXAMINED; UNEXECUTED DECLARATION AND POWER OF ATTORNEY; PCT/ISA/237 (WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY); PCT/IB/304 (NOTIFICATION CONCERNING SUBMISSION OR TRANSMITTAL OF PRIORITY DOCUMENT); PCT/IB/308 (FIRST NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION); PCT/IB/308 (SECOND AND SUPPLEMENTARY NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION); PCT/RO/101 (REQUEST); POSTCARD FOR THE EARLY NOTIFICATION OF THE SERIAL NUMBER REQUEST.		

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U.S. Application No.: Not Yet Assigned		International Application: PCT/EP2005/051054	Attorney Docket No.: 27614U	
The following fees are submitted:		CALCULATION	PTO USE ONLY	
21. X Basic National Fee (37 CFR 1.492(a)).....		\$ 300.00	\$ 300.00	
22. X Examination Fee (37 CFR 1.492 (c)) If the written opinion prepared by ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)		\$ 0.00		
All other situations		\$ 200.00	\$ 200.00	
23. X Search Fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)		\$ 0.00		
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority		\$ 100.00		
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB		\$ 400.00	\$ 400.00	
All other situations		\$ 500.00		
Total of 21, 22 and 23		\$ 900.00		
- Additional fee for specification and drawings filed in paper over 100 sheets (excluding Sequence listing or computer program listing filed in an electronic medium). The fee is \$ 250.00 for each additional 50 sheets of paper or fraction thereof.				
Total Sheets	Extra Sheets	# of each additional 50	RATE	
146-100 =	46 / 50 =	1	X \$250	\$ 250.00
- Surcharge of \$130.00 for furnishing the oath or declaration later than <u>20</u> <u>30</u> months from the earliest claimed priority date (37 CFR 1.492(e)).				
CLAIMS	# FILED	# EXTRA	RATE	
TOTAL	16-20=	0	X \$50	
INDEPENDENT	1-3=	0	X \$200	
Multiple dependent claims (if applicable)			+ \$360	
TOTAL OF ABOVE CALCULATIONS =			\$ 1,150.00	
- Applicant claims small entity status. Fees above are reduced by 1/2.				
SUBTOTAL =			\$ 1,150.00	
- Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				
TOTAL NATIONAL FEE =			\$ 1,150.00	
- Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				
TOTAL FEES ENCLOSED =			\$ 1,150.00	
		Amount to be: refunded	\$	
		Amount to be: charged	\$	

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U.S. Application No.: Not Yet Assigned	International Application: PCT/EP2005/051054	Attorney Docket No.: 27614U
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$ 1,150.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account Number: 14-0112 in the amount of \$ _____ to cover the above fees. (A duplicate copy of this sheet is enclosed.)</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account Number: 14-0112.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit Card Information should not be included on this form. Provide credit card information and authorization on PTO-2038</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.</p> <p>Send All Correspondence To:</p> <p>Gary M. Nath NATH & ASSOCIATES PLLC 112 South West Street Alexandria, VA 22314 TEL: (703) 548-6284 FAX: (703) 683-8396</p> <p>Date: <u>September 1, 2006</u> By:  Gary M. Nath, Reg. No. 26,965 Sheldon M. McGee, Reg. No. 50,454 Customer No. 34375</p>		

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

10/591480

In re Application of:

KAUTZ, Ulrich

Application No.: Not Yet Assigned

Filed: September 1, 2006

Intl. Application No.: PCT/EP2005/051054

Intl. Filing Date: March 9, 2005

Title: NOVEL AMIDO-SUBSTITUTED HYDROXY-6-PHENYLPHENANTHRIDINES AND THEIR USE AS PDE4 INHIBITORS

TRANSMITTAL LETTER

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Application Data Sheet;
- 2) Transmittal Letter to U.S. Designated/Elected Office (DO/EO/US) Concerning Filing Under 35 U.S.C. 371;
- 3) International Publication Number: WO 2005/087745 A1, with the PCT/ISA/210 (International Search Report); International Publication Date: September 22, 2005, which consists of 102 pages:
 1 page for the Cover Sheet, with Abstract,
 83 pages of Textual Specification,
 18 pages of 18 Claims, and
 0 sheets of Drawings;
- 4) Preliminary Amendment with Appendices A, B, and C, to be Examined;
- 5) Unexecuted Declaration and Power of Attorney;
- 6) PCT/ISA/237 (Written Opinion of the International Searching Authority);
- 7) PCT/IB/304 (Notification Concerning Submission or Transmittal of Priority Document);
- 8) PCT/IB/308 (First Notice Informing the Applicant of the Communication of the International Application);
- 9) PCT/IB/308 (Second and Supplementary Notice Informing the Applicant of the Communication of the International Application);
- 10) PCT/RO/101 (Request);
- 11) Check No.: 2761 in the Amount of \$ 1,150.00 for Basic Filing Fee, which includes the Search and Examination Fees (\$900), and for the application size fee surcharge (\$250), as a Large Entity;
- 12) Postcard for Early Notification of the Serial Number Request.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,
NATH & ASSOCIATES PLLC

Date: September 1, 2006

By:



Gary M. Nath, Reg. No. 26,965
 Sheldon M. McGee, Reg. No. 50,454
 Customer No. 34375

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